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MAILED

JUN 05 2003

Office of the Director
Group 3600

In re Application of
Timothy Ray Martin et al.
Application No. 09/748,705
Filed: December 22, 2000
For: SLIDING FASTENING SYSTEM

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is in reply to applicant's petition to withdraw the holding of abandonment under 37 CFR 1.181, filed in the United States Patent and Trademark Office on February 7, 2003 and supplemented on June 1, 2003.

The petition is **GRANTED**.

A review of the file record indicates that the application was held abandoned for failure to timely respond to the Office action dated June 3, 2002, and a Notice to that effect was mailed on January 14, 2003.

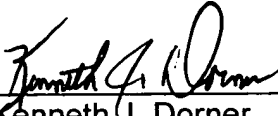
Any petition to withdraw the holding of abandonment based upon a Returned Post Card must include the following requirements:

- (1) A copy of the response and
- (2) A copy of the postcard identifying the response including a USPTO Mail Room receipt date.

The returned postcard included in the petition bears a USPTO Mail Room receipt date of September 4, 2002. This is unacceptable evidence of a timely filed response since the three-month shortened statutory period for response expired on September 3, 2002.

However, the copy of the response included with the petition includes a Certificate of Mailing dated August 30, 2002. A statement by Melanie I. Rauch was received on June 1, 2003, which attests to the personal knowledge of mailing the response on the date indicated on the Certificate of Mailing. This is sufficient evidence of a timely response.

Since a timely response to the Office action was filed, the application is being forwarded to the Supervisory Legal Instruments Examiner for entry of the Amendment filed with the petition, and then to the Examiner for prompt action on the merits of the claims.



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KJD/tpl: 6/3/03